Finding, Keeping James Earl Ray Costs 1.6 Million

FBI Spent 1.4 Million For Global Hunt; County Tab Is \$200,000

By CHARLES EDMUNDSON The FBI spent \$1,400,000 to catch James Earl Ray, charged with the murder of Dr. Martin Luther King, and Shelby County is spending a reported \$200,000 to guard him in prison and give him a fair trial.

These figures were gleaned in Washington and at the Shelby County Courthouse yesterday as contractors pushed forward with new security reinforcements at the County Iail.

The new security measures revealed yesterday are a \$2.937.60 contract for the Auto Glass Co., 619 Madison, to install a bullet-proof glass cage in the entrance way to the jail and the purchase, several days ago, of a padlocked steel box in which Ray's meals are delivered to his cell as a guarantee against poisoning.

Sheriff William N. Morris declined last night to approve the \$200,000 extra-cost estimate for Shelby County until he has had time to add various contract figures. But an informed source said that is "very close to the mark." It is only half, he noted, of the \$400,000 extra cost Los Angeles County says it is having to foot for the protection of Sirhan Sirhan, charged with the assassination of Senator Robert F. Kennedy. Antimer disposed cases

Also revealed in the August issue of Reader's Digest were new details of how the FBI, deploying 3,014 agents in a search covering five countries, was able to arrest Ray 34 days after he is charged with having shot Dr. King to death on the balcony of the Lorraine Hotel.

A vital clue, it was revealed, was a laundry mark on a 50cent undershirt left in a blue travel bag found in a doorway near 2221/2 South Main, the boarding house from which the fatal shot is said to have been fired.

The FBI first ascertained, with help of the laundry industry, that the machine making the laundry mark was manufactured in Syracuse, N.Y. Because of a peculiarity in the machine, the manufacturer was able to say it had been sold to a Los Angeles laundry.

This clue, plus Los Angeles service station stickers on the inside panel of the white Mustang abandoned in Atlanta, permitted the FBI to concentrate its search in the Los Angeles area. Ray's likeness was found in a group photo of a graduating class of the International School of Bartending.

A road map from the Mustang contained the first clear fingerprint of the suspect. By now it was evident the man sought was a white fugitive from justice, probably a prison. escapee, between 25 and 50 years old. With this information, the FBI was able to limit its comparison of fingerprints to only 2,000 of the 82 million persons whose fingerprints are kept in the FBL files,

On the morning of April 19 an examination of FBI Record Card No. 405,942G, the 702nd looked at, showed their man was a Missouri State Prison escapee named James Earl Ray. On June 8 Ray was arrested at a London airport as he attempted to leave the country. Ray was flown to Memphis Friday.

Admitting to his real name for the first time since his arrest, Ray was arraigned in Shelby County Criminal Court Monday, His trial was set fur

Sheriff Marris says he is determined Memphis "shall not be another Dallas" referring to the slaying of Lee Harvey Oswald, charged with killing President John F. Kennedy, in a Dallas jail in 1963.

Thick new steel doors have been installed at certain jail passageways. A picture and sound-recording tape machine has been provided to take identification of all who enter the courtroom where Ray was arraigned and the one where he will be tried.

Ray's cell has been air conditioned, presumably to benefit principally the round-theclock guard. Television monitors provide an additional constant watch.

A month ago Squire Jimmie McIntyre of Germantown moved for the County Court to ask the Department of Justice to repay the county for the extra cost of guarding and trying Ray.

Squire Baker said yesterday Washington appears unwilling to do this but that he hasn't given up hope.

(Indicate page, name of newspaper, city and state.)

COMMERCIAL APPEAL

MEMPHIS, TENS.

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Editor FRANK R. AMAGER

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Possible Publicity Violations In Ray Case To Be Studied

Criminal Court Judge W. Preston Battle yesterday appointed a committee of eight Memphis attorneys to advise him on "possible violation of the court's order on publicity" in the James Earl Ray case.

The action came a day after Ray's attorney, Arthur J. Hanes of Birmingham, called a news conference and declared that his client was a victim of a Communist plot and that Ray's rights were being violated at the Shelby

County Jail.

Judge Battle declined to say if appointment of the committee stemmed from Mr. Hanes'

statements.

Mr. Hanes reached in Birmingham last night said he had not yet been informed of the appointment of the committee and that he did not want to comment on it. "Perhaps it would be a good idea," he said.

None of the attorneys on the committee reached last night would comment on their role. It was learned they are to meet at 10 a.m. today "to get acclimated and see what's going on."

Neither Atty. Gen. Phil M. Canale Jr. or Sheriff William N. Morris Jr. would comment on Mr. Hanes' charges Saturday that his client's rights were being violated at the jail and that Ray was a victim of a "giant conspiracy."

Ray is awaiting trial in Judge Battle's court on a first-degree murder charge in the April 4 slaying of Dr. Martin Luther King Jr.

Judge Battle said the committee would "handle any necessary matters relating (to the court order) in court."

If the committee reports that it feels the court order has been violated and Judge Battle concurs, speculation is that the judge's next step would be to issue an order for the accused person to show cause why he should not be held in contempt of court.

Contempt of court carries a maximum penalty of 10 days in jail and a \$50 fine.

Shortly after Ray was brought to the Shelby County Jail, the judge issued a strict order forbidding attorneys, court attaches and law officers connected with the Ray trial from giving "interviews for publicity" or "extra-judicial statements."

Last Wednesday he modified the order limiting the prohibition to interviews and statements "prejudicial to a fair trial by an impartial jury."

The judge said the attorneys would serve "amici curiae" (as friends of the court). They are Lucius Burch, Don G. Owens, president of the Memphis and Shelby County Bar

Association, Lee A. Hardison, J. Alan Hanover, Cooper Turner Jr., Leo J. Buchigani, James D. Causey and Leo Bearman Jr.

It is not unusual for a judge to ask Bar Association leaders or other attorneys to act as friends of the court and advise the judge on legal issues, especially those relating to lawyers in a case.

In 1965 when a question arose about whether Wayne T. DeWees, then an assistant city at torne y, should represent Charles P. CaPece on a charge of embezzling public funds; Criminal Court Judge Perry H. Seller asked a special bar sommittee to make a report to him.

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Hanes Says Ray Helpless Victim In Red Conspiracy To Kill King

By CHARLES THORNTON

national Communist plot.

Arthur J. Hanes, pulling angrily on a filter cigaret and gesturing to make his point, said at a press conference here: "In my judgment Ramsey Clark (United States Atty. Gen.) is 100 per cent wrong. my client is being used."

Mr. Hanes refused to divulge courtroom. the source of his information Birmingham.

He would say only: I hope patsy."

Shortly after Ray's arrest press rolled over and played June 8 in a London airport, dead just to be near the Mr.—Clark, announced that throne." there was no evidence of a Mr. Hanes appeared to be

that the slayer of Dr. King did rying a pistol. not act alone.

Mr. Hanes, while not actually saying so, indicated the day that Mr. Hanes might hire threats against his life and the Memphis civil rights attorney lives of his family were coming from the "conspiracy."

This (the murder of Dr. King Kappa key to realize there is law firm - Ratner, Thompson, and subsequent accusation of an international Communist Ray) is a giant conspiracy and conspiracy. They will do everything in their power to see fended Glenn W. Nash, acthat we don't walk into that

"Gentlemen, I've got my to newsmen at Memphis Met-neck way out on this one. My ropolitan Airport, where he son (Arthur Hanes Jr.) and I State held the press conference are the only two people who Miss. shortly before departing for have talked to this man

(James Earl Ray).
"When (John F.) Kennedy Ramsey Clark will not sit back was killed in Dallas, the (fedon his laurels and allow this eral) government asked the Friday night discussing the conspiracy to cause us further press to play down (Lee Harvharm and confuse the Ameri- ey) Oswald's Communist affilican people. Ramsey Clark is ation because it would harm not going to use my client as a relations with Communist countries, and the American

James Earl Ray was pic-iplot. The Justice Department armed at the airport. "I'm taktured yesterday by his attor. has continued to maintain it ing every precaution," he said, ney as the victim of an inter- has uncovered no evidence when asked if he were car-

> It also was learned yester-Russell X. Thompson to help in the defense of Ray. Mr. Thompson is a former partner "It doesn't take a Phi Beta of Memphis' first integrated Sugarmon, Lucas and Willis.

Mr. Thompson last year decused in the murder of Millington taxi driver C. C. Surratt.

Nash was ruled insane and sent to the Mississippi State Hospital at Whitfield,

Mr. Hanes denied he had se lected a Memphis attorney but Mr. Thompson confirmed that he spent "three or four hours' case with Mr. Hanes, and his possible employment.

"We have a tentative agreement but it is very tentative, said Mr. Thompson.

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He said Mr Hanes had to check with "other sources" before formally employing him as an attorney.

Asked if his associate, former Mayor William B. In-

mer Mayor William B. Ingram, would help in the case, Mr. Thompson said Mr. Ingram proably would help but would not be formally employed as an attorney of record.

Mr. Thompson, well-known as an attorney for the National Association for the Advancement of Colored People's acknowledged that he might lose some clients if he helped defend Ray.

"The big discussion in my office between Mr. Hanes and myself was about the way I feel about it. For years I've been pleading with all white juries to forget race. Now I hope the Negro community can accept this.

"The conscience of the community has a real obligation in this case. Our obligation is to give him (Ray) a damn good trial."

Mr. Thompson said he believed Ray would receive a fair trial here.

Mr. Ingram had "no comment" to make last night on what if any role he might play in Ray's defense.

Mr. Hanes blasted his client's treatment in the Shelby County Jail and charged that Ray's rights were being hampered and his health weekened by the elaborate security precautions — particularly by two television cameras that monitor his every movement and the light that burns constantly in his cell.

"He does not like, nor do I like, having two cameras focused on him 24 hours a day. It's like something out of '1984' (a book by George Orwell in which all citizens were spied on by government television cameras).

"There is a light in his cell that is turned on 24 hours at day. He has to hide his head under a pillow to get some sleep. He even has an electronic eye on him when he uses the toilet."

Mr. Hanes also lashed out at the picture released by Sheriff William N. Morris of Ray being led into the jail hand cuffed and wearing protective clething as having done "irreparable harm to my client."

Judge Goes Along With Bar Report

Russell Thompson, Ramsey Clark Also Charged

By ROY B. HAMILTON
Press-Scimitar Staff Writer

Arthur B. Hanes, Sheriff William N. Morris and Memphis attorney Russell X. Thompson were cited today as having violated Criminal Judge W. Preston Battle's order in the James Earl Ray case a g a i n s t "publicity" statements.

U.S. Atty. Gen. Ramsey Clark and the Justice Department were found to be "in probable violation" of Battle's order.

Judge Battle made the finding official as he adopted and signed a report by an eight-lawyer committee he had named to investigate. Public statements made by principals in the Ray case, and to make recommendations.

NEW ORDER

The committee also drafted a new court order, signed by the judge, imposing additional restrictions on "publicity" statements.

No punitive or disciplinary action was taken against the four individuals mentioned in the committee report.

"The court in the interest of preserving the constitutional rights of all concerned and protecting the orderly preparation and progress of the trial, reserves further inquiry and disposition of each and all of the above instances (of violations) until a

later date." the order said.
The order further urged a "self imposed compliance" with the guidelines laid down by the court to assure a fair trial "to the defendant and to the state of Tennessee."

When Ray was returned to Memphis to face a murder charge in the slaying of Dr. Martin Luther King Jr., Battle issued an order against those connected with the case making statements for "publicity." Later he modified the order to bar statements "prejudicial to a fair trial."

The Committee in its fourpage report cited these as

specific instances:

"Certain statements attributed to Arthur B. Hanes to the effect that the shooting of Dr. Martin Luther King Jr. involves a Communist conspiracy, to the effect that

his client's rights were being trampled in jair and to the effect that he, his family and servants are being threatened by 'them.' as quoted in

Turn to Page 4-FOUR

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— MEMPHIS, TENN.

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The Memphis Press-Scimitar of Saturday, July 27, 1968, and The Commercial Appeal of Sunday, July 28, 1968.

"Certain statements in the Memphis Press-Scimitar of July 27, 1968, attributed to William Morris, sheriff of Shelby County, Tenn., concerning the cost and expenses for the security of the prisoner and the treatment of the prisoner and the prisoner's demeanor and attitude while in confinement.

"Certain statements appearing in The Memphis Press-Scimitar of Saturday, July 27, 1968, attributed to Russell X. Thompson concerning his opinion as to the guilt or innocence of the defendant."

POSSIBILITY

On a visit to Memphis last week Hanes, Ray's Birmingham lawyer, met with Thompson and discussed the possibility of Thompson joining in Ray's defense.

In regard to Atty. Gen. Clark, the committee's report said that to the extent that Clark is a participant in the Ray case "through his staff, assistants, office associates, investigators or employes under his supervision, the statements attributed to him and the U.S. Department of Justice as referred to in The Commercial Appeal of July 28, 1968, are in probable violation of the principles set out in Shepherd vs. Maxwell ... to the effect that there was no evidence of a conspiracy in the shooting of Dr. Martin Luther King Jr."

Shepherd vs. Maxwell is the famous case of Dr. Sam Shepherd of Cleveland, Ohio, osteopath whose conviction was overturned by the U.S. Supreme Court on the grounds of prejudicial pretrial publicity.

Battle used this case as a guideline in his previous orders of July 18 and July 23 restricting publicity in the

SIGNED ORDER

The order signed by the judge today reads:

"All lawyers participating in this case, their assistants, associates, staff members, investigators and employes under their supervision and control, county medical examiner, jury commissioners, criminal court clerk, county sheriff, police officials and other law enforcement officers, employes of this court and all other persons em-ployed in the Criminal Courts Building, their associates, deputies, assistants, staff members and personnel under their supervision and control are forbidden to take part in interviews or press Conferences for publicity and

I are enjoined from making extra-judicial statements about this case which involve:

"The personal belief of the declarant as to the guilt or innocence of the accused.

"The plans of the declarant relating to the preparation or conduct of the trial, the theory, techniques and strategy of the declarant in the preparation and trial of the case.

"The jurors or potential jurors who may serve.

"The comments of the declarant about the morits of the case and about any evidence which may be present-

"The credibility of or information concerning any known or intended witnesses or the treatment, acts, and attitude of the defendant, and are further enjoined from making any and all other statements which may be prejudicial to a fair trial by an impartial jury in this case whether specified herein or not."

The order stated further that anybody who feels "aggrieved by anything herein contained are hereby admonished that any such grievances or complaints should a be judicially presented.

"The court recognizes the wide and pervasive publicity which has been and will be an inevitable incident of this trial. The court further recognizes that there are many individuals who are beyond the jurisdiction of this court but who may be interested in the outcome of this trial, and whose statements may have been violative of this order had the court jurisdiction over such parties."

"As to such persons the court urges self-imposed

compliance with this order in the interest of a fair trial to the defendant and to the state of Tennessee."

Battle instructed the criminal court clerk to send certified copies of the order to all persons named in it and to newspapers, radio and TV stations within the court's jurisdiction.

The committee is com-

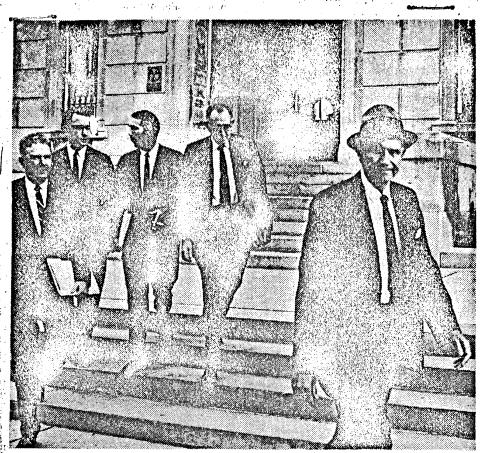
Don G. Owens, president of Memphis and Shelby County Bar Association; and Lucius Burch, Lee A. Hardison, J. Alan Hanover, Cooper Turner Jr., Leo J. Buchignani, James D. Causey and Leo Bearman Jr.

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-Press-Scimitar Staff Photo by William Leaptrott

AFTER FINDING VIOLATIONS OF ORDER

Members of Bar Association committee included, from left, James D. Causey, Leo
Bearman, J. Alan Hanover, Lee A. Hardison and Lucius Burch.



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Don Owens Leo Buchignani Cooper Turner W. Preston Bar President Bar Member Jr. Battle Bar Member Judge



Bar Member



Battle Issues 5-Point 'Fair Trial' Order

of a special bar association must foot for Ray's security. or prosecution. committee, Criminal Court Judge W. Preston Battle yes made after Judge Battle issued his orders of July 18 and 23, sharply delimiting publicity statements regarding the Ray with a strict five-point orders of July 18 and 23, sharply delimiting publicity statements regarding the Ray contains a contain the matter of possible evidence, credibility and designed to guarantee the case. Clark was cited for a statement of the contains and prohibited are statements regarding jurors or possible evidence, credibility and contains a contain the contains and prohibited are statements regarding the contains and prohibited are statements and prohibited are statements. der designed to guarantee the case. Clark was cited for a of intended witnesses, or the defendant a fair trial.

ney general of the United man. States. Besides criticizing Atty. Gen. Ramsey Clark, the order cites as prejudicial to a fair trial statements made by Arthur J. Hanes of Birmingham, Ray's chief counsel, Russell X. Thompson, under consideration as co-counsel for the defense, and Sheriff William N. Morris.

Singled out were Mr. Hanes' statements that Ray is a "victim of a Communist left-wing conspiracy" and that his client's "rights are being

for a statement Saturday that lief in the guilt or innocence of he believes Ray "innocent." the accused. Sheriff Morris was criticized He also prohibited state man Brewer of WMC-TV.

for having given at a press ments on the preparation of (Picture on Page 36)

All these statements were statement made several weeks treatment, acts or attitudes of Judge Battle coupled his or- ago that the Justice Depart-Ray himself. der with pointed criticism of ment regards Dr. King's murstatements made by persons der not as the product of a ranging as high as the attor-conspiracy but the work of one Committee of the Mid-South

> Judge Battle found the attorney general's statement "in probable violation of the principles set out by the United States Supreme Court in Sheppard vs. Maxwell." In 1966 the penses entailed in upgrading Supreme Court reversed the conviction of Dr. Sam Sheppard of Cleveland, Ohio, charged with killing his wife, diced a fair trial.

Judge Battle enjoined attorneys in the Ray case, persontrampled and his privacy in- nel of the attorney general's vaded" in the Shelby County office and the sheriff's office an elective official." and other public employes

By CHARLES EDMUNDSON |conference Friday details of |conduct of the trial or the tech-With the advice and consent extra expenses Shelby County niques or strategy of defense

The Public's Right to Know Chapter of Sigma Delta Chi, professional journalism society, gave a statement taking issue with Judge Battle's stricture against Sheriff Morris for revealing extra exsecurity for Ray as a prisoner in the Shelby County Jail.

"Certainly," the statement said, "the cost to taxpayers of on the ground widespread confinement and security meanewspaper publicity had preju-sures and conditions of jail life are matters of interest to the public and not directly related to the trial. As such they are suitable for public comment by

The statement was signed by Mr. Thompson was reproved from expressing a personal be- the committee's co-chairman, Jefferson Riker of The Commercial Appeal staff and Nor-

(Indicate page, name of newspaper, city and state.) PAGE 1+36 COMMERCIAL APPEAL MEMPHIS, TENN.

Date: 7-31-68 Edition: FINA, Author:

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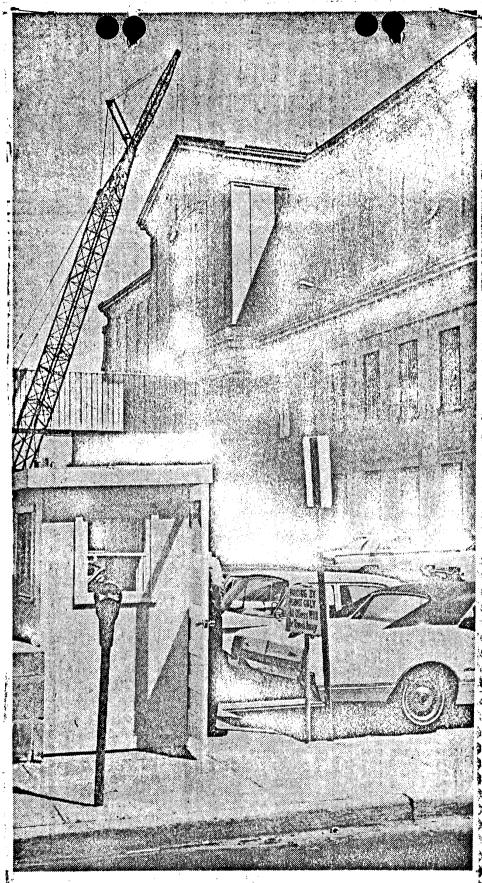
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More Precautions At Jail

The constantly changing scene around the Shelby County Jail yesterday featured guard houses at corners around the Criminal Courts Building, which contains the jail. At the same time, workmen used a crane to

begin installing more steel screens and plates over windows in the jail where James Earl Ray is waiting for trial in the murder of Dr. Martin Luther King Jr.

Hanes Quiet After Order On Publicity

Arthur J. Hanes, outspoken defense lawyer in the James Earl Ray case whose comments apparently led to a court crackdown on such talk was keeping quiet to-

day.
"Just my name, rank and serial number," said Hanes when called at his Birmingham home.

NOT RECEIVED

And he hadn't yet received the crackdown order issued yesterday by Judge Preston Battle, who cited Hanes and others as having violated the court's order against publicity statements.

Judge Battle, on advice of an eight-member committee of lawyers he had appointed, cited Hanes, and also Sheriff William Morris, Memphis attorney Russell X. Thompson as violators.

PROMIBITED

The order prohibited all lawyers and officials connected with the case from making public statements relating to Ray's guilt or innocence, preparations for the trial, jurors or prospective jurors, and comments about evidence or merits of the case. Statements concerning Ray's "treatment, acts and attitudes," such as those made by Morris at a press conference last Friday, were also excluded. And interviews and news conferences were ruled out by the judge. The Public's Right to Know Committee of the Mid-South chapter of Sigma Delta Chi, professional journlism society, took issue with the judge in respect to the criticism of Sheriff Morris.

The committee said information given by the sheriff a bout the cost of Ray's confinement and the description of his jail cell "are matters of interest to the public and not directly related to the trial."

Judge Battle took no action against those cited for violations and the committee made no such recommendation.

However, the warning seemed clear that future violations could result in contempt citations punishable by jail sentences and fines.

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Too Broad An Order

ERTAINLY no one should quarrel with the need to insure a scrupulously fair trial for James Earl Ray. Assurance of a full, fair day in court for him and of the government's right to present its case is vital to our legal system.

We are well aware that pre-trial publicity can undermine the working of law and that courts should try to prevent such miscarriages. However, despite its legitimate purposes, we believe that Criminal Court Judge W. Preston I ttle's order goes beyond the pand considerable power of a judge to control pre-trial statements and as an unenforceable order undercuts the authority of the court.

Judge Battle's order is too sweeping in its denial of the free speech of parties ranging from lawyers to courthouse janitors to stand up to strict enforcement. Not only does the broad limitation on free speech appear less than constitutional but the stricture

against revealing such information as public expenditures on guarding Ray is an unwise censorship of the public's right to know what its government is doing.

Like wise, forbidding statements about the "treatment, acts and attitudes of the defendant" is unwittingly a small step toward letting the government hold prisoners secretly.

The exceptional nature of this case is evident to all, but courts, for very sound reasons, cannot do some of the things that they and most of us would like to see done. Judge Battle is correct to take all permissible steps to insure a fair trial and we join him in urging all parties, including lawyers and press, to use restraint in public statements. But the rights of one man do not completely overcome the free speech of others.

Judge Battle simply cannot go as far as his order indicates, and his pretending that he can is not in the best interest of upholding an effective but properly limited judiciary.

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Judges Unhappy With Court Site

2 First-Floor Courtrooms
To Be In County Building
'On Stopgap Basis'

Despite objections from the Criminal Court judges, two courtrooms will be opened in the next few weeks on the first floor of the Shelby County Office Building.

County Commission Chairman Jack Ramsay and County Court Chairman Charles Baker said yesterday the courtrooms will occupy space to be given up by County Court Clerk Robert M. Gray and County Trustee Riley Garner. Mr. Garner and Mr. Gray are scheduled to move to the County Administration Building, nearing completion across Second Street from their present quarters.

"The judges have objected to the first floor courtrooms on grounds of security and possible public interruptions," Mr. Ramsay said.

"But plans for the County Office Building and the Administration Building have called all along for two courtrooms on the first floor of the office building.

Mr. Baker said the courtrooms would be placed there
"on a stopgap basis until we
can build a criminal courts
complex." Sheriff William N.
Morris Jr. has urged construction of a criminal courts complex, including a large addition
to the Shelby County Jail. The
cost is estimated at 7 million
dollars.

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of the new courtroom's would be ready by November and, being probably larger than the present courtrooms, would be used for the trial of James Earl Ray, charged with the murder of Dr. Martin Luther King Jr.

Mr. Ramsay expressed doubt the new courtrooms will be ready so soon. He said also they would hardly be suited, for security reasons, for the Ray trial.

He said the Election Commission, housed in the southwest quarter of the first floor of the office building, will remain there and will be given additional storage space in the basement.

The new courtrooms will be occupied by Judge John P. Colton, whose present courtroom is in the basement, and by Judge Ben L. Hooks, who new bolds court in gramped quarters on the fourth floor.

Death Scons Of Dr. King Is Changed

If the jury in the James Earl Ray trial should be shown the scene of the slaying, the view will be different from what the killer saw.

A heavy growth of trees behind the rooming house at 422½ S. Main, from which an assassin shot Dr. Martin Luther King Jr., has been cut down.

The nearly 10 foot high embankment which had trees and growth has been stripped, with only tree stumps remaining to show what the scene was like that April evening.

The view of the balcony where Dr. King was standing was obscured from some of the windows in the rooming

house by the trees.

The stripped embankment overlooks Mulberry Street and is across the street from the location Motel. A clerked the Lorraine said the location which is she didn't know who cut the location.

tiom.
The tax assessor's office aid it appears the property owned by the Lester Sanelson estate.

Samelson, a real estate man, said, "I own some property in that area and that may be it. It is just something left over that we pay taxes on. I didn't order any trees cut and I can't imagine who did."

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